



#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| In re                      | Application of: Jonathan H. Bari et al.  | )                      |
|----------------------------|--|------------------------|
| Application No. 09/759,225 |  | ) Group Art Unit: 2131 |
| Filed                      | : January 16, 2001   | Examiner: M. Vaughan   |
| For:                       | Method and System for Secure Registration,<br>Storage, Management and Linkage of Personal<br>Authentication Credentials Data<br>Over a Network | )<br>)<br>)            |

#### **DECLARATION UNDER 37 C.F.R. 1.131**

I, Jonathan H. Bari declare as follows:

- 1. I am a named co-inventor of the above-referenced U.S. Patent Application (Application 09/759,225).
- 2. On or about April 14, 1999 I met with a graphic artist to discuss the design of a Web site that encompassed my conception of the invention disclosed in U.S. Patent Application No. 09/759,225. We had a number of subsequent discussions during which I instructed the graphic artist on the design of particular screen shots and graphical user interfaces. These discussion were carried on through various means including corresponding via emails, corresponding via faxes, meeting by telephone and meeting in person. The Web site and business was named PinVault.com.
- 3. On July 23, 1999 I registered the www.pinvault.com Web site address with Register.com, as shown in the attached Register.com's "WHOIS" database. This registered Web site contained the subject matter of pending claims in this application. The subject matter was therefore invented prior to the date of disclosure of the subject matter in the Novell "Digitalme" publication (earliest possible disclosure of October 5, 1999).
- 4. I further declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the above-referenced application or any patent issuing thereon.

Attorney Docket 051726-0002 Application 09/759,225 Page 2

Respectfully submitted,

Jonathan H. Bari

Date /

# register com

**Domain Name Search** 

MANAGE MY ACCOUNT

HOME | HELP | CONTACT US

SOLUTIONS FOR:

LARGE ENTERPRISES
SMALL BUSINESSES
INDIVIDUALS/FAMILIES
BULK BUYERS
PARTNERS/AFFILIATES

SHORTCUTS TO:

DOMAIN NAMES

REGISTER

RENEW

TRANSFER

BUILD YOUR SITE

PROMOTE YOUR SITE

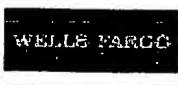
SELL DOMAIN NAMES

WEB SITE HOSTING

TRADEMARK SEARCH

SECURITY SOLUTIONS

BUSINESS RESOURCES











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## Whois Results for pinvault.com

The data in Register.com's WHOIS database is provided to you by Register.com for information purposes only, that is, to assist you in obtaining information about or related to a domain name registration record. Register.com makes this information available "as is," and does not guarantee its accuracy. By submitting a WHOIS query, you agree that you will use this data only for lawful purposes and that, under no circumstances will you use this data to: (1) allow, enable, or otherwise support the transmission of mass unsolicited, commercial advertising or solicitations via direct mail, electronic mail, or by telephone; or (2) enable high volume, automated, electronic processes that apply to Register.com (or its systems). The compilation, repackaging, dissemination or other use of this data is expressly prohibited without the prior written consent of Register.com. Register.com reserves the right to modify these terms at any time. By submitting this query, you agree to abide by these terms.

Organization:

PINvault.com Inc.
Jonathan Bari
5312 Ridge Avenue
Philadelphia, PA 19128
US

Phone: 215-545-5193

Email: jon@catavault.com

Registrar Name...: Register.com
Registrar Whois...: whois.register.com

Registrar Homepage: http://www.register.com

Domain Name: pinvault.com

Created on..... Fri, Jul 23, 1999 Expires on..... Tue, Jul 23, 2002 Record last updated on..: Sat, May 26, 2001

Administrative Contact:

PINvault.com Inc. Jonathan Bari 5312 Ridge Avenue Philadelphia, PA 19128 US

Phone: 215-545-5193
Email: jon@catavault.com

Technical Contact:

PINvault.com Inc. Jonathan Bari 5312 Ridge Avenue Philadelphia, PA 19128 US

Phone: 215-545-5193
Email: jon@catavault.com

Zone Contact:

PINvault.com Inc.

Jonathan Bari 5312 Ridge Avenue Philadelphia, PA 19128

US

Phone: 215-545-5193

Email: jon@catavault.com

Domain servers in listed order:

AUTH01.CORP.CATAVAULT.COM AUTH02.CORP.CATAVAULT.COM 198.139.9.157

198.139.9.158

Register your domain name at http://www.register.com

# Click here to see if this name is for sale!

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© 1995-2001 by register.com™. Please read our <u>Disclaimer</u>, <u>Privacy Notice</u>, <u>Services Agreement</u>, & <u>Dispute Policy</u>.
Claims Pursuant to 17 U.S.C. § 512(c)(2). UDRP Decisions.





PATENT ATTORNEY DOCKET NO. 051726-0002

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| In re Application of:  | )                          |
|--|----------------------------|
| Jonathan. H. Bari, et al.  | )<br>)                     |
| Application No. 09/759,225   | ) Group Art Unit: 2131     |
| Filed: January 16, 2001  | ) Examiner: Revak          |
| For: METHOD AND SYSTEM FOR SECURE REGISTRATION, STORAGE, MANAGEMENT AND LINKAGE OF PERSONAL AUTHENTICATION CREDENTIALS DATA OVER A NETWORK | ) ) ) ) MS AMENDMENT ) ) ) |

Customer Window, Mail Stop Amendment

Randolph Building 401 Dulany Street Alexandria, VA 22314

Sir:

### **RE-FILING OF REQUEST FOR RECONSIDERATION**

Applicants' undersigned spoke with Examiner Revak today regarding the above-identified application. Apparently, the originally filed Request for Reconsideration and Declaration, which were filed on November 19, 2004, were not forwarded to Examiner Revak after the Petition to Suspend Rules was granted on April 29, 2005. Accordingly, as requested by Examiner Revak, Applicants now submit the file stamped copy (November 19, 2004) of the Request for Reconsideration and Declaration for immediate consideration by the Examiner.

ATTORNEY DOCKET NO. 051726-0002 Application No. 09/759,225

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If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under 37 C.F.R. 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

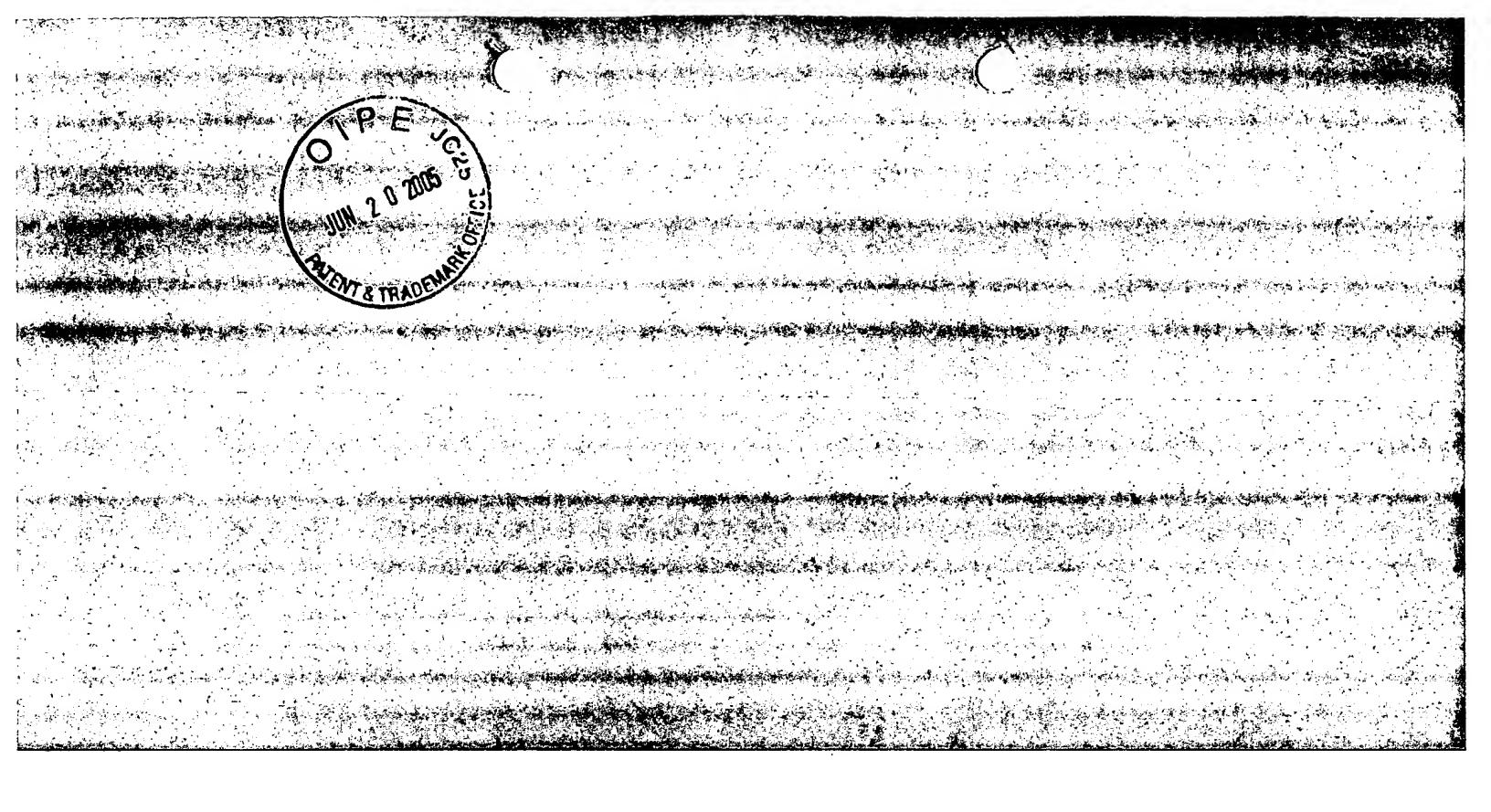
Bv:

ry Jane Boswell

Reg. No. 33,652

Dated: June 20, 2005

MORGAN, LEWIS & BOCKIUS LLP 1111 Pennsylvania Ave. NW Washington, DC 20004 202-739-3000



#### PLEASE STAMP AND RETURN TO SHOW RECEIPT OF:

U.S. Patent Application of: Jonathan H. Bari, et al.

Application No.: 09/759,225 Group Art Unit: 2131 Filed: January 16, 2001 Examiner: M. Vaughan

FOR: METHOD AND SYSTEM FOR SECURE REGISTRATION, STORAGE, MANAGEMENT AND LINKAGE OF PERSONAL AUTHENTICATION CREDENTIALS DATA OVER A NETWORK

#### MS AMENDMENT

- 1. Request for Reconsideration Transmittal Form
- 2. Request for Reconsideration in response to the Office Action dated September 15, 2004
- 3. Petition to Suspend Rules Under 37 C.F.R. § 1.183
- 4. Declaration Under 37 C.F.R. § 1.131 w/attachment pages 1 and 2

Please charge our Deposit Account No. 50-0310 in the amount of \$130.00 for the filing of the Petition to Suspend Pales Under 37 C.F.R. § 1.183.

Dated: November 19, 2004

Attorney Docket No.: 051726-0002

MJB/jaa

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U.S. Patent Application of: Jonathan H. Bari, et al.

Application No.: 09/759,225

Group Art Unit: 2131

Filed: January 16, 2001

Examiner: M. Vaughan

FOR: METHOD AND SYSTEM FOR SECURE REGISTRATION, STORAGE, MANAGEMENT AND LINKAGE OF PERSONAL AUTHENTICATION CREDENTIALS DATA OVER A NETWORK

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Dated: November 19, 2004

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MJB/jaa



# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| In re                             | Application of:   |                           |  |  |
|-----------------------------------|---|---------------------------|--|--|
| Jonatl                            | han H. Bari, et al.   | )                         |  |  |
| Appli                             | cation No. 09/759,225   | ) Group Art Unit: 2131    |  |  |
| Filed:                            | January 16, 2001  | ) Examiner: M. Vaughan    |  |  |
| For:                              | METHOD AND SYSTEM FOR SECURE REGISTRATION, STORAGE, MANAGEMENT AND LINKAGE OF PERSONAL AUTHENTICATION CREDENTIALS DATA OVER A NETWORK | ) ) ) MS AMENDMENT ) ) )  |  |  |
| U.S. I<br>2011<br>Custo<br>Crysta | Patent and Trademark Office South Clark Place mer Window, Mail Stop Amendment al Plaza Two, Lobby, Room 1B03 gton, VA 22202           |                           |  |  |
| Sir:                              |   |                           |  |  |
|                                   | REQUEST FOR RECONSIDERAT  | ION TRANSMITTAL FORM      |  |  |
| 1.                                | Transmitted herewith is a Request for Reconsideration in response to the Office Action dated September 15, 2004.                      |                           |  |  |
| 2.                                | Additional papers enclosed:   | ditional papers enclosed: |  |  |
|                                   |   | · ·                       |  |  |

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## 3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136(a) apply.

- [X] Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.
- [ ] Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. 1.17(a), for the total number of months checked below:

| for [Fee for Small sion Entity]                       |
|---|
| 0.00 \$ 55.00<br>0.00 \$215.00                        |
| \$0.00 \$215.00<br>\$0.00 \$490.00<br>\$0.00 \$765.00 |
| ֡֜֜֜֜֜֜֜֜֜֜֜֜֜֜֜֜֜֜֜֜֜֜֜֜֜֜֜֜֜֜֜֜֜֜֜֜                 |

Extension of time fee due with this request: \$ \_\_\_\_\_0.00

If an additional extension of time is required, please consider this a Petition therefor.

An extension for \_\_ months has already been secured and the fee paid therefor of \$\_\_\_ is deducted from the total fee due for the total months of extension now requested.

### 4. <u>Constructive Petition</u>

[X] EXCEPT for issue fees payable under 37 C.F.R., 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R., 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R., 1.136(a)(3).

Attorney Docket No.: 051726-0002

Application No.: 09/759,225

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# 5. Fee Calculation (37 C.F.R. 1.16)

|   | Claims<br>Remaining<br>After<br>Amendment |       | Highest No.<br>Previously Paid | Present<br>Extra | at Rate of   | Total Fees |
|---|---|-------|--------------------------------|------------------|--------------|------------|
| Total Claims<br>(37 C.F.R. 1.16(c))                           | 43  | Minus | 43                             | 0                | x \$18 each= | +\$ 0.00   |
| Independent Claims<br>(37 C.F.R.1.16(b))                      | 2   | Minus | 2                              | 0                | x \$18 each= | +\$ 0.00   |
| [] First presentation of Multiple dependent claim(s) \$300.00 |   |       |                                |                  | + \$         |            |
| SUB-TOTAL =   |   |       | <u> </u>                       |                  |              | \$         |
| Reduction by   for filing by a small entity                   |   |       |                                | -\$ 0.00         |              |            |
| TOTAL FEE =   |   |       |                                | \$ 0.00          |              |            |

# 6. <u>Fee Payment</u>

| []  | No fee is to be paid at this time.   |
|-----|--|
| [X] | Please charge our Deposit Account No. 50-0310 in the amount of \$130.00 for the filing of the Petition to Suspend Rules Under 37 C.F.R. § 1.183.   |
| []  | Check in the amount of \$\sqrt{n}\$ for  The Commissioner is hereby authorized to charge any additional extension of time fee or additional fee for claims due to Deposit Account No. 50-0310. |

Attorney Docket No.: 051726-0002

Application No.: 09/759,225

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[X] The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

By:

Mary Jane Boswell

Reg. No. 33,652

Dated: November 19, 2004

CUSTOMER NO. 09629 MORGAN, LEWIS & BOCKIUS LLP

1111 Pennsylvania Avenue, N.W.

Washington, D.C. 20004 Telephone: 202-739-3000 Facsimile: 202-739-3001



PATENT ATTORNEY DOCKET NO. 051726-0002

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, Mail Stop Amendment
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

### REQUEST FOR RECONSIDERATION

In response to the Office Action dated September 15, 2004, the period for response to which extends through December 15, 2004, Applicants respectfully request reconsideration of this application based on the following remarks.

Claims 1-43 stand rejected under 35 U.S.C. § 102(a) as being anticipated by Novell's "Digitalme" publication dated October 5, 1999 (hereinafter "Novell"). Applicants respectfully traverse these rejections for at least the following reasons.

As evidenced in the Declaration Under 37 C.F.R. § 1.131 (the "Declaration") filed concurrently herewith, the invention as recited in claims 1-43 of the present application were conceived and reduced to practice prior to the publication of Novell in October 1999 (the "Critical Date"). The Declaration demonstrates that the inventions claimed in claims 1-43 were actually reduced to practice before the Critical Date. Applicants therefore submit that Novell should not be considered as prior art to these claims under any subsection of 35 U.S.C. § 102.

Thus, for at least the above reasons, Applicants respectfully request that the rejections of claims 1-43 under 35 U.S.C. § 102(a) be withdrawn.

## **CONCLUSION**

In view of the foregoing, Applicants respectfully request reconsideration of the application and the timely allowance of the pending claims. Should the Examiner feel that there are any issues outstanding after consideration of the response, the Examiner is invited to contact the Applicants' undersigned representative to expedite prosecution.

ATTORNEY DOCKET NO. 051726-0002 Application No. 09759,225 Page 3

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under 37 C.F.R. 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

By:

Mary Jane Boswell

Reg. No. 33,652

Dated: November 19, 2004

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